

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INVESTIGATION OF TOLL AND ACCESS )  
CHARGE PRICING AND TOLL SETTLEMENT )  
AGREEMENTS FOR TELEPHONE UTILITIES ) CASE NO. 8838  
PURSUANT TO CHANGES TO BE EFFECTIVE )  
JANUARY 1, 1984 )

O R D E R

On June 2, 1986, AT&T Communications of the South Central States, Inc., ("AT&T") filed an information and data request directed to all local exchange carriers. Subsequently, on July 3, 1986, Continental Telephone Company of Kentucky ("Continental") filed an objection to AT&T's information and data request. On August 29, 1986, AT&T filed a motion to compel Continental to respond to its information and data request.

DISCUSSION

The information sought by AT&T is as follows:

Please provide the latest embedded cost study results separately, for all categories of access, disaggregated at least to the following level; carrier common line, traffic sensitive switched access, special access, billing and collection and miscellaneous access. Provide the revenues and costs for the intrastate intraLATA toll service and intrastate and intraLATA private line services.

Continental's objection is based "on the ground that it [the information and data request] calls for data which is outside the

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<sup>1</sup> Information and Data Request of AT&T Communications of the South Central States, Inc., page 1.

scope of this proceeding and includes information which is proprietary in nature."<sup>2</sup> In its motion to compel the filing of the requested information and data, AT&T argues that (1) the requested information and data is not outside the scope of this proceeding, (2) Continental's proprietary claim is unsubstantiated, and (3) states its willingness to enter into a confidentiality agreement if proprietary status is granted under the Commission's rules and regulations.

In the opinion of the Commission, AT&T's information and data request is a valid request to which Continental should respond, as soon as possible. However, as stated in its objection to AT&T's information and data request, if Continental believes the requested information and data is of a proprietary nature, then it should file a petition for confidential treatment under the provisions of 807 KAR 5:001 Section 7, no later than October 1, 1986.

#### FINDINGS AND ORDERS

The Commission, having considered the evidence of record and being advised, is of the opinion and finds that:

1. AT&T's motion to compel Continental to respond to its information and data request should be granted.

2. Continental's objection to AT&T's information and data request should be denied.

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<sup>2</sup> Objection of Continental Telephone Company of Kentucky to Data Request of ATTCOM, page 1.

IT IS THEREFORE ORDERED that:

1. AT&T's motion to compel Continental to respond to its information and data request be and it hereby is granted.

2. Continental's objection to AT&T's information and data request be and it hereby is denied.

Done at Frankfort, Kentucky, this 26th day of September, 1986.

PUBLIC SERVICE COMMISSION

Richard D. Herman, Jr.  
Chairman

Richard D. Herman, Jr.  
Vice Chairman

Spencer N. Williams, Jr.  
Commissioner

ATTEST:

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Executive Director